

Town of Weare

ZONING BOARD OF ADJUSTMENT

15 Flanders Memorial Road

PO Box 190

Weare, NH 03281

Phone: 603.529.2250

Fax: 603.529.75273

MEETING MINUTES

Tuesday, July 10, 2012

****FINAL COPY****

PRESENT: Jack Dearborn, Chairman; Forrest Esenwine, Vice Chairman, Malcolm Wright, Member; June Purington, Member; Stu Richmond, Member; Chip Meany, Land Use Coordinator; Sheila Savaria, Recording Secretary

GUESTS: Ginger Esenwine, Linda Martin, Art Siciliano

I. INTRODUCTION:

Chairman Jack Dearborn called this meeting to order at 7:30 pm, explained how the Board does business, and asked the members of the Board to introduce themselves. The 5 members present were all appointed as voting members for the cases tonight.

II. PUBLIC HEARINGS:

Case #0712 Continuation: Variance from Article 17.1.1, Building on a private road
Winter Road, Tax Map 105-40 & 41, Residential zone

There was nobody present for this case, so June Purington moved to close the application for Case #0712; Forrest Esenwine seconded, all voted in favor.

Case #0812 Linda Martin: Variance from Article 17.1.1, Building on a private road
167 Cottage Road, Tax Map 103-5, Residential zone

June Purington moved to accept the application as complete, Stu Richmond seconded. Discussion: Forrest Esenwine was not satisfied with the maps provided for points 3 and 4. After being provided with a stamped plan and a copy of the tax map, all members voted in favor of accepting the application.

The applicants are asking permission to replace their existing seasonal dwelling with a year-round dwelling. Ms. Martin read the 5 points of hardship from her application:

1. Granting this variance will not be contrary to public interest because they will be tearing down the old building and building a 2-bedroom, code compliant home. The existing cottage is 50-60 years old and not on a foundation. They purchased the cottage to renovate it, but discovered it was not possible because of how it was built.
2. Granting the variance will not be contrary to the spirit of the ordinance because the road has historically had houses on it and it will continue to be accessible to emergency vehicles.
3. Substantial justice will be done because the Martins had purchased the property to renovate it originally, but the building was too lightly constructed. The variance will allow her to use the property for what she purchased it for.
4. The values of surrounding properties will not be diminished.
5. The house is located in a private community on a private road. The dwelling needs many repairs and this variance will allow them the opportunity to upgrade to a code compliant new home. Also, Emergency vehicles will continue to have full access.

Ms. Martin showed the Board the new house plans.

Chairman Dearborn closed the public hearing at 8:00 pm.

Forrest Esenwine moved to accept point 1; Malcolm Wright seconded. Discussion: Forrest Esenwine said there is already a house there, so they are not granting a variance to build on a private road. All members voted in favor.

Forrest Esenwine moved to accept point 2; June Purington seconded, all voted in favor.

Forrest Esenwine moved to accept point 3; June Purington seconded, all voted in favor.

June Purington moved to accept point 4; Malcolm Wright seconded, all voted in favor.

Forrest Esenwine moved to accept point 5; June Purington seconded, all voted in favor.

The variance for Case #0812 was granted.

Chip Meany asked the Board about building a garage in the future, and Chairman Dearborn said it was on the plan they approved so it would be allowed.

Case #0912 N. John Paquette, Variance from Article 17.1.1, Building on a Private Road
Branch Road, Tax Map 107-14, Residential Zone

This application for a single family dwelling was approved in 2004, but the applicant missed the 1 year renewal, so they have to reapply. Art Siciliano read the 5 points of hardship:

1. The granting of this variance will not be contrary to public interest because the construction will only add appeal and value to the neighborhood, and there will be no public funds used to maintain the road.
2. Granting this variance will not be contrary to the spirit of the ordinance because the area is zoned residential and they are building a single family dwelling.
3. Substantial justice will be done by granting this variance because it is zoned residential and will be one of several granted variances.
4. Values of surrounding properties will not be diminished because existing homes on Branch Road are comparable to the proposed structure.
5. The property has been located on a private road since the 60s. There are approximately 30 other homes on the road, it is zoned residential, and it is a reasonable use to build a home. Emergency Access to the home is adequate.

Chairman Dearborn closed the public hearing at 8:20 pm.

Forrest Esenwine moved to accept point 1; June Purington seconded, all voted in favor.

Forrest Esenwine moved to accept point 2; June Purington seconded, all voted in favor.

Forrest Esenwine moved to accept point 3; June Purington seconded, all voted in favor.

June Purington moved to accept point 4; Malcolm Wright seconded, all voted in favor.

Forrest Esenwine moved to accept point 5; June Purington seconded, all voted in favor.

The variance for Case #0912 was granted.

III. OTHER BUSINESS:

Minutes: Forrest Esenwine moved to approve the second draft of the June 5, 2012 minutes; June Purington seconded, all voted in favor.

IV. ADJOURNMENT: As there was no other business to come before the board, Jack Dearborn declared the meeting adjourned at 8:25 pm.

Respectfully Submitted,

Sheila Savaria, Recording Secretary